

BUILDING A COMPREHENSIVE PARTNERSHIP BETWEEN ASEAN AND THE UNITED NATIONS

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Abstract

On the basis of the most significant joint United Nations-ASEAN documents and other related political and legal instruments, the article analyzes from a diplomatic perspective, the origin of the initiative of building a comprehensive partnership between the two institutions, the progress achieved in this complex process, and its prospects in the years to come. Special attention is paid to the permanent dialogue, cooperation, coordination and consultation between the two organizations, in conformity with the consensus mandates approved by the United Nations General Assembly.

Relevant positions and proposals advanced by ASEAN are evoked with particular emphasis on the role of ASEAN Summits in the elaboration of a ‘roadmap on the implementation of the ASEAN-UN Comprehensive Partnership for 2014-2015’.

Keywords: ASEAN, United Nations, cooperation, partnership, meeting

1. PRELIMINARY CONSIDERATIONS

Cooperation between the United Nations (UN) and regional organizations, including the Association of Southeast Asia Nations (ASEAN) is a vital and permanent component of the current globalization process. A comprehensive partnership between ASEAN and the UN is expected to be a long-term commitment responsive to the needs and priorities of the two organizations, taking into account the changing dynamics of the regional and the global environment. Such partnership is meant to

facilitate closer collaboration between a universal and a regional institution in collectively addressing the emerging global challenges.¹

Assessing this issue in practical terms, on August 6, 2013, while speaking in the UN Security Council on the topic “Cooperation between the United Nations and regional and sub-regional organizations in maintaining international peace and security”, the representative of Indonesia, -the biggest member of ASEAN, -said: “In our view, the challenge before the United Nations is not to be everywhere or to attempt to do everything. On the contrary, the

¹Doctor in Political Science (International Law) of Geneva University (1968); Doctor Honoris Causa in International Law of Assumption University of Thailand (1998); alternate representative of Romania to the United Nations Security Council (1990-1991); Ambassador of Romania to the Kingdom of Thailand and permanent representative to International Organizations based in Bangkok (1994-1999); visiting professor in Assumption University of Thailand since February 2000.

emerging reality is that the United Nations can be more effective simply by developing and strengthening its partnerships, especially with regional and sub-regional organizations, so that the stronger those partnerships are, the stronger and more effective the United Nations becomes".²

In a similar opinion, the UN Secretary-General Ban Ki-moon stated, "The principle of establishing stronger partnerships with regional organizations is embedded in the very DNA of the United Nations. [...] the effectiveness of the United Nations rests in large measure on our cooperation with regional bodies. We draw on [their] expertise. We maximize impact by coordinating our efforts. Pooling resources and pursuing a common approach is not only efficient, it is essential". In the same context, the UN Secretary-General reminded that conflict prevention, mediation, crisis management, peacekeeping, conflict resolution and peace-building were complex endeavors and no single country or organization can possibly meet these challenges alone. This is the reason for which the UN has strengthened relationships with regional bodies in order to facilitate a swift response when crises erupt and to allow for long-term joint engagement.³

The growing interaction between the UN and regional organizations is legally founded in Chapter VIII of the UN Charter.⁴ But what are the actual dynamics of this interaction?

This is a fundamental question asked in diplomatic circles, in academia, and in a great variety of civil organizations in 193 UN Member States.

Regionalism has a meaningful presence in UN debates.⁵ It is illustrated by many

traditional issues on its agenda, including in recent years the relationship between the UN and the ASEAN as such and with its ten individual members: Brunei Darussalam, Cambodia, Indonesia, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Vietnam and Laos.⁶

With about 620 million people, ASEAN has 8 per cent of the world's population. It includes 240 million Muslims, 125 million Christians, 150 million Buddhists, 7 million Hindus, and 50 million followers of folk religions. Strategically, some of the most important sea lanes pass through ASEAN waters. About a third of global trade, half of global oil trade, and 80 per cent of the oil bound for China and Japan pass through the straits of Malacca and Singapore. This is a "case study" offering instructive lessons for all UN Member States.⁷

Historically, ASEAN links with the UN system started in 1972 with the UN Development Program (UNDP) which became a dialogue partner in 1977, being the only non-State body that formed part of today's ASEAN Dialogue Partners (Australia, Canada, China, European Union, India, Japan, New Zealand, Republic of Korea, Russian Federation, and United States).⁸

Over the years, ASEAN reaffirmed at various levels its commitment to the centrality of the UN role in the maintenance of international peace and security. This commitment was demonstrated by ASEAN's support for the workshop series on ASEAN-UN Cooperation in Peace and Preventive Diplomacy. These meetings had a joint sponsorship by the International Studies Center of Thailand and the Insti-

tute of Policy Studies of Singapore. ASEAN expressed positive views about the UN Secretary-General's An Agenda for Peace proposals as it contained constructive approaches towards strengthening the role of the UN in preventive diplomacy, peace-making, peace-keeping, and peace-building.⁹

On 13 September 2005, ASEAN leaders and the UN Secretary-General formulated a number of topical considerations and proposals in a comprehensive joint communiqué containing 33 paragraphs. The document refers to the need to broaden ASEAN-UN cooperation, encompassing areas related to community-building, such as poverty alleviation, prevention, and control of infectious diseases, disaster management, transnational issues, development, and peace and security. According to paragraph 31 of the document, the participants expressed support for multilateralism with the UN at the core. They supported the efforts of the UN Secretary-General in making the UN a more effective organization that will continue to underpin the multilateral system and to meet the challenges of the millennium.¹⁰

From the legal and institutional perspective the most significant event in the history of the ASEAN-UN relationship is the adoption in 2006, at the sixty-first session of the UN General Assembly, of resolution 61/44 entitled Observer status for the Association of Southeast Asian Nations in the General Assembly. The document is very short and mostly of a procedural nature. In essence, in the preamble of the resolution the General Assembly expresses the wish to promote cooperation between the UN and ASEAN. The two operative

paragraphs contain the decision to invite ASEAN to participate in the sessions and the work of the General Assembly in the capacity of observer, as well as the request addressed to the Secretary-General to take the necessary action to implement the relevant resolution, adopted by consensus on 4 December 2006.¹¹

At an operational level, every regional institution has unique features, which can be harnessed by the UN for the mutual benefit of the international community and regional constituency. By its open regionalism, ASEAN became the driving force in the evolution of a cluster of intergovernmental processes geared to further promote mutual cooperation in the political, economic, and cultural fields. These are the ASEAN Regional Forum, the Asia-Pacific Economic Cooperation (APEC), the Asia-Europe Meeting (ASEM), ASEAN+3 (China, Japan and Republic of Korea), and ASEAN+3+3 (Australia, India and New Zealand) which led to the establishment of the East Asia Summit (EAS), composed of ASEAN+3+3 as well as Russia and the United States.¹²

How do regional organizations relate to each other and how do they measure up to the universal principles and norms of international law?

To answer that topical question, it is appropriate to recall that on December 9, 1994, the UN General Assembly adopted without a vote resolution 49/57 containing as an annex the Declaration on the Enhancement of Cooperation between the United Nations and Regional Arrangements or Agencies in the Maintenance of International Peace and Security. The Declaration is a detailed collection of recommen-

dations grouped in 12 paragraphs addressed both to states and to relevant regional organizations.

Regional arrangements or agencies are encouraged by the above Declaration to consider ways and means for promoting closer cooperation and coordination with the UN with the aim of contributing to the fulfillment of the purposes and principles of the Charter, including in the fields of preventive diplomacy, peacemaking, and post-conflict peace-building, and, where appropriate, peace-keeping.¹³

On substance, a more detailed collective document on the political aspects of regionalism is the Presidential Statement presented by Romania on behalf of the Security Council on July 20, 2004 after a meeting dedicated to the consideration of the “Cooperation between the United Nations and Regional Organizations in Stabilization Processes”.

That was not a purely conventional meeting. In addition to the 15 members of the Security Council present that day at its session, the following regional organizations were represented: the African Union, League of Arab States, ASEAN, North Atlantic Treaty Organization (NATO), Commonwealth of Independent States, Organization for Security and Cooperation in Europe, Organization of the Islamic Conference, and the Economic Community of West African States. The European Union (EU), which is not a simple traditional regional organization, but a highly integrated organization, was also present.

Member States and heads of regional organizations participating in the meeting stressed their interest in enhancing cooperation between the UN and regional or-

ganizations in the maintenance of international peace and security. They also considered that regular dialogue on specific issues between the Council and regional organizations would bring significant added value in this respect.

Common and coordinated efforts undertaken by the UN and regional organizations in stabilization processes should be based on complementarity and their comparative advantages. The above mentioned Statement reiterated the importance of a coherent approach to stabilization processes through improved cooperation and collaboration, including increased and timely exchange of information between the UN and regional organizations, in accordance with the provisions of Article 54 of the UN Charter.

The Security Council invited regional organizations to take measures to increase collaboration with the UN in order to maximize efficiency in stabilization processes and also encouraged enhanced cooperation and coordination among regional and sub-regional organizations themselves, in particular through exchanges of information as well as sharing experiences and best practices.

Finally, the Security Council invited all UN Members to contribute to the strengthening of the capacity of regional and sub-regional organizations in all parts of the world, including through the provision of human, technical, and financial assistance.¹⁴

Another relevant document on relations between the UN and regional organizations is the Statement by the President of the Security Council after the meeting held on 6 August 2013.

This document underscored the impor-

tance of developing effective partnerships between the UN and regional and sub-regional organizations. Cooperation between the UN and the regional and sub-regional organizations is described as an integral part of collective security.

In the opinion of the Security Council, the growing contribution made by regional and sub-regional organizations can usefully complement the work of the UN in maintaining international peace and security.

Further steps are to be considered to promote closer and more operational cooperation, as appropriate, between the UN and regional and sub-regional organizations in the fields of conflict early warning, prevention, peacemaking, peacekeeping, and peace-building, and to ensure the coherence, synergy and collective effectiveness of their efforts.

The Security Council recognized that regional and sub-regional organizations are well positioned to understand the causes of armed conflicts owing to their knowledge of the region which can be a benefit for their efforts to influence the prevention or resolution of these conflicts.

In the same context, the Security Council stressed the importance of a coordinated international response to causes of conflict and recognized the need for the development of effective long-term strategies and emphasized the need for all UN organs and agencies to pursue preventative strategies and to take action within their respective areas of competence to assist Member States and regional and sub-regional organizations to eradicate poverty, strengthen development cooperation and assistance and promote respect for human rights and fundamental freedoms.

The Security Council encouraged the continuing involvement of relevant regional and sub-regional organizations in the peaceful settlement of disputes, as appropriate, including through conflict prevention, confidence-building and mediation efforts, and underlined the importance of utilizing the existing and potential capabilities of regional and sub-regional organizations in this regard.

Of direct relevance for ASEAN was the fact that the Council specifically stressed the utility of continuing to develop effective partnerships between the UN and relevant regional and sub-regional organizations, in order to enable early responses to disputes and emerging crises and to strengthen the UN role in the prevention of conflicts.

Finally, the Security Council recognized the need to enhance coordination of efforts at national, regional, sub-regional, and international levels, as appropriate, in order to strengthen the global response to the serious challenge and threat to international peace and security posed by the proliferation of weapons of mass destruction and their means of delivery.

On a more general level, the Council encouraged enhanced cooperation between the UN and the regional and sub-regional organizations to foster a global dialogue for the promotion of tolerance and peace, to promote better understanding across countries, cultures, and civilizations.¹⁵

2. REVIEW OF INSTITUTIONAL PARTNERSHIP

Several Summits took place between

ASEAN and the UN. The First, Second, Third, and Fourth Summits were held in Bangkok in February 2000, at UN Headquarters in September 2005, in Hanoi in October 2010, and in Bali, Indonesia, in November 2011, respectively. The fifth Summit took place in Phnom Penh, Cambodia in October 2012 and the Sixth in Brunei Darussalam in October 2013.

What relevant events of significance for the ASEAN-UN relationship took place at an institutional level in the General Assembly? This is an issue under periodic review. UN resolution A/RES/57/35 adopted by consensus by the UN General Assembly on 21 November 2002 is entitled “Cooperation between the United Nations and the Association of South-East Asian Nations”. Its text starts by reminding of the aims and purposes of ASEAN, as enshrined in the Bangkok Declaration of 8 August 1967, in particular the maintenance of close and beneficial cooperation with existing international and regional organizations with similar aims and purposes. The activities of the Association are declared as being consistent with the purposes and principles of the UN and its cooperation with the UN system is welcomed. After these general considerations in the preamble, the UN General Assembly limits itself to encourage both ASEAN and the UN to increase contacts and to further identify areas of cooperation. In spite of its brevity, this document is considered to be a landmark resolution expected to lead to new activities between ASEAN and the United Nations in various areas, including in the field of political and security issues.¹⁶ The resolution is, in reality, a modest one and lacks specificity. However, the practice of its

implementation is more eloquent.

A similar UN General Assembly resolution (under the symbol A/RES/59/5 of October 22, 2004) having the same title as the previous one mentioned above welcomed the participation of ASEAN in the high-level meetings between the UN and regional organizations, as well as the collaboration between the Association and the UN Economic and Social Commission for Asia and the Pacific (ESCAP) to promote dialogue and cooperation among regional organizations in that geographical area. On that legislative basis, the UN Secretary-General submitted to the General Assembly in 2006 a report on the implementation of the resolution just summarized and it was considered under the sub-item entitled “Cooperation between the United Nations and the Association of Southeast Asian Nations”.¹⁷

That was the prelude to another important event in the history of the ASEAN-UN relationship: the adoption by consensus at the sixty-first session of the United Nations General Assembly of resolution A/RES/61/46 dated 19 December 2006. The text of this resolution is more substantive and detailed in its nature. Thus, its operative part starts with a paragraph in which the General Assembly welcomes the holding of the Second ASEAN-UN Summit at UN Headquarters on 13 September 2005, chaired jointly by the representative of Malaysia, the rotating Chair of the ASEAN Standing Committee and the UN Secretary-General and attended by the leaders of the Association, as well as by the heads of various UN agencies, funds, and programs.

In its second operative paragraph, the

resolution acknowledges the commitment of the leaders of the Association and the UN Secretary-General to further broaden cooperation between the Association and the United Nations, in the areas mentioned in the joint communiqué of the Second ASEAN-UN Summit.

In the light of the resolution on observer status for ASEAN analyzed above, the General Assembly welcomes, in the fourth paragraph, the Association as an observer in the General Assembly and encourages the UN and the Association to convene summits regularly. In addition, it commends the President of the General Assembly, the UN Secretary-General and the Ministers for Foreign Affairs of the States Members of the Association for their efforts to hold regular meetings, on an annual basis, with the presence of the Secretary-General of the Association, during the regular sessions of the Assembly, with a view to further strengthening the cooperation between the UN and ASEAN.

In the final part of the resolution, the General Assembly takes note of the efforts of ASEAN to hold meetings with other regional organizations at the fringes of its sessions to promote cooperation in support of multilateralism.¹⁸

The most-comprehensive document on UN-ASEAN cooperation is the resolution adopted by consensus by the General Assembly on 17 December 2012 under the designation- 67/110. The resolution has a preamble and – 21 operative paragraphs. The preamble starts with the reminder of the aims and purposes of ASEAN as enshrined in the Bangkok Declaration of 8 August 1967, in particular the maintenance of close and beneficial cooperation with

existing international and regional organizations with similar aims and purposes. It welcomes ASEAN's participation in high-level meetings between the UN and regional organizations, as well as the collaboration ASEAN – ESCAP to promote dialogue and cooperation among regional organizations in Asia and the Pacific.

In the first operative paragraph of the resolution the General Assembly welcomed the entry into force on 15 December 2008 of the Charter of ASEAN which represents a historic milestone for the ASEAN, reflecting a common vision and commitment to the development of the ASEAN Community so as to ensure a lasting peace, stability, sustained economic growth, shared prosperity and social progress in the region.

The resolution reminded the commitment of the UN and ASEAN to establish a partnership between the two organizations, as laid out in the Memorandum of Understanding signed on 27 September 2007, and in this connection the UN General Assembly welcomed the adoption of the 2011 Joint Declaration on Comprehensive Partnership between ASEAN and the UN for intensifying the level of cooperation, as well as strengthening the framework of cooperation between the two organizations.

Why is this partnership so important?

The resolution offers a clear answer to that question. In its paragraph 7 the General Assembly recognizes the value of a comprehensive partnership between the UN and ASEAN in providing timely and effective responses to global issues of mutual concern, in the context of partnership

between the UN and regional organizations, and thus encourages both organizations to explore concrete measures dedicated to expanding and deepening cooperation, particularly in the areas of peace and security, including the exchange of experiences and best practices on conflict resolution and post-conflict demining activities, economic and social development towards the achievement of the Millennium Development Goals, food and energy security, sustainable development, disaster management and climate change, the promotion of human rights and democracy, ASEAN connectivity and integration, the preservation and development of the cultural diversity of ASEAN, and the Global Movement of Moderates, as reflected in the statement of the co-chairs of the Fourth ASEAN-UN Summit and the Joint Declaration on Comprehensive Partnership between ASEAN and the UN.

The initiative on the Global Movement of Moderates was endorsed by the ASEAN leaders at the eighteenth ASEAN Summit, held in Jakarta in May 2011, and was considered by the UN General Assembly as one of the positive ASEAN contributions in shaping global development and advancing global peace.

Among other ASEAN initiatives welcomed by the UN General Assembly the following deserve to be mentioned: the adoption by the ASEAN leaders of the Declaration for a Drug-Free ASEAN; the entry into force in 2011 of the ASEAN Convention on Counter-Terrorism which was considered to be a milestone in enhancing the capacity of the region to confront terrorism in all its forms and manifestations and to promote regional efforts in strength-

ening counter-terrorism cooperation.

In the field of human rights, the General Assembly welcomed *inter alia* the promotion and protection of the rights of women, children, the elderly, and persons with disabilities, as well as the rights of migrant workers.

Having in mind the fact that many UN resolutions are very general in nature, the resolution under consideration on UN-ASEAN cooperation is an exception, as it is remarkable by its specificity and action-oriented provisions. There are several examples to illustrate it. The UN General Assembly encouraged cooperation between the two organizations to ensure an effective response to and management of natural and anthropogenic disasters, including disaster risk reduction, through the operationalization of the ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management and implementation of the ASEAN Agreement on Disaster Management and Emergency Response work program for 2010-2015.

Reflecting also some recommendations of the Security Council mentioned in section I of this article, the General Assembly encouraged the collaboration between the UN and ASEAN in research on peace, conflict management, and conflict resolution, through exchanges of best practices and capacity-building of existing mechanisms or other institutions, such as the ASEAN Institute for Peace and Reconciliation based in Jakarta.

Due attention is paid also in the resolution to the successful implementation of operational activities, in particular to the efforts to close economic development gaps by supporting the implementation of

the Initiative for ASEAN Integration work-plan II and the master plan on ASEAN connectivity.

Political and security issues are not ignored in the resolution. In this regard, the UN General Assembly reiterated its commitment to further enhance close coordination and cooperation between the ASEAN member States and the UN on peacekeeping operations, and encouraged the active role played in this field by various ASEAN member states.

At the same time, the UN General Assembly reiterated the importance of maintaining peace, security and stability in the South-East Asia region and the world at large and, in this context, considered that the signing of the Protocol to the Treaty on the South-East Asia Nuclear-Weapon-Free Zone (Bangkok Treaty) and its related documents would mark another important milestone in the ASEAN achievements with respect to ensuring that the South-East Asia region is free from nuclear weapons, and in this connection encouraged continued consultations between the States parties to the Bangkok Treaty and the nuclear-weapon States in order to facilitate the signing of the Protocol and its related documents as early as possible.

Finally, the General Assembly reiterated the importance of enhancing regional security and cooperation to promote peace, stability, and prosperity in the region and the world. In the last operational paragraphs of the resolution, the General Assembly took note of the ASEAN efforts to hold meetings with other regional organizations at the sidelines of the sessions of the General Assembly to promote cooperation in support of multilateralism and

requested the Secretary-General to submit to the General Assembly at its sixty-ninth session (2014) a report on the implementation of the resolution analyzed in these pages.

Mention should be also made of the decision to include in the provisional agenda of the sixty-ninth session of the UN General Assembly under the item entitled “Cooperation between the United Nations and regional and other organizations”, the sub-item entitled “Cooperation between the United Nations and the Association of Southeast Asian Nations”.¹⁹

Beyond any UN resolution, what can be done at the practical level in the areas covered by ESCAP to promote UN-ASEAN cooperation?

A persuasive answer is offered by the Memorandum of Understanding between the ASEAN Secretariat and the Secretariat of the ESCAP done at Jakarta/Bangkok, on January 2, 2002. In accordance with this document, the two parties agreed to take immediate measures for more effective cooperation and collaboration between the two Secretariats in the various priority programs under the Hanoi Plan of Action and its consecutive plans of action, the UN Millennium Declaration and decisions, recommendations and resolutions, as contained in various reports of the annual sessions of ESCAP and in all areas where their functions, programs, and activities are complementary and mutually supportive.

More specifically, the ASEAN Secretariat and the ESCAP Secretariat shall establish cooperation in the areas of common interest and expertise, which include, but are not limited to the following: Poverty alleviation; Human resources development;

HIV/AIDS; Transnational crime; Population and development; Women and children in development; Industrial cooperation; Facilitation of trade in goods and services; Transport and communication; Regional cooperation in financial sector monitoring and surveillance; Investment promotion and facilitation; Statistics; International financial issues; Environment; Social development; Information technology; Science and technology; Technical cooperation among developing countries; Tourism; Sustainable Forest Management. To enable a more effective and mutually beneficial cooperation, the ASEAN Secretariat and the ESCAP Secretariat agreed to undertake annual consultations at the senior official level to identify and conduct possible joint activities in the areas listed above.²⁰

At the diplomatic level an interesting assessment of the UN-ASEAN cooperation was undertaken at the thirty-seventh ASEAN Ministerial Meeting, held in Jakarta from 29 to 30 June, 2004. The participants were encouraged by the progress achieved in the development of the ASEAN Security Community, which they believed would lead to an ASEAN whose members are at peace with each another and with the world at large. They also agreed that the ASEAN Security Community would strengthen ASEAN's capacity to deal with security challenges, including those having to do with both traditional and non-traditional security issues. The ASEAN Security Community would strengthen ASEAN relations with other regional organizations and would enhance ASEAN's role as the Regional Forum's primary driving force.⁽²¹⁾ That would be in full harmony with the very spirit of ASEAN-UN cooperation.

The present state of cooperation between the UN and ASEAN was briefly summarized in 2014 by the representative of Vietnam who spoke on behalf of ASEAN in the UN Security Council. He stated that ASEAN continues to be a net contributor to international peace and security. The ASEAN way of incremental interaction, consultation, and dialogue could be part of the solution to conflicts and crises elsewhere. In ASEAN's opinion, such dialogue is crucial for cultivating a culture of peace that promotes restraint, preventive diplomacy and mutual respect, as well as a strong commitment to international law, the UN Charter, including the principle of the peaceful settlement of disputes.²²

3. ASEAN IN UN ACTION

This commitment is not a new one. In fact, in 2004, the representative of Laos, as Chairperson of the Standing Committee of ASEAN, was the first speaker before the Security Council on behalf of his organization, who dealt with specific modalities for cooperation between and among the UN and regional organizations.

In ASEAN's view, the search for appropriate modalities for cooperation between regional organizations and the UN aims to promote a speedy response to situations likely to disturb regional or international peace and security. The relevant deliberations on the matter in the Security Council were expected to generate a new impetus for further enhancing the cooperation between the UN and ASEAN in the stabilization processes, on the basis of the principle of consent and national sover-

eighty and in accordance with international law and the UN Charter.²³

Events proved that the trend described above was a positive one.

Indeed, on the same topic, Malaysia stated, in 2005, that ASEAN was pleased to note that cooperation with the UN has been pursued in many areas of common interest and concern. ASEAN fully supports multilateralism and the central role of the UN in maintaining international peace and security. ASEAN leaders and the UN Secretary-General continued to review and discuss broad areas of cooperation, including energy security, debt relief, health, disaster management, trade and investment, peace and security. On the latter issue, ASEAN leaders and the UN Secretary-General recognized the linkages between development, security, and human rights, and committed themselves to enhance cooperative efforts to combat international terrorism at the national, regional, and international levels. However, ASEAN and the UN, as well as the specialized agencies, must explore further ways and means of promoting ASEAN-UN cooperation in a great variety of fields.

For coping with non-traditional threats and the challenges of globalization, ASEAN reiterated the urgent need to further strengthen cooperation with the UN in the areas of disaster management and dealing with emerging and resurgent infectious diseases, such as avian influenza and severe acute respiratory syndrome.²⁴

In 2006, during debates in the UN General Assembly Singapore recalled that in Asia, the role of ASEAN has not only been beneficial to the 10 countries of South-East Asia, it has also helped to create a larger

architecture of cooperation.

With the end of the Cold War, peace returned to Indochina and ASEAN gradually expanded to include Vietnam, Cambodia, Laos and Myanmar, to achieve its visible form today: a community of 10. In 2003, the leaders of ASEAN decided to establish an ASEAN Community with three main pillars – security, economic cooperation and cultural cooperation. To create such a community, the ASEAN Charter which entered into force on December 15, 2018, provides the legal identity to this regional organization, as well as a strong basis for future integration.

Through the ASEAN-plus groupings mentioned above and the East Asia Summit, which includes the 10 members of ASEAN as well as China, the United States, Russia, Japan, the Republic of Korea, India, Australia, and New Zealand, ASEAN is creating a new architecture of peaceful, cooperative development in greater Asia. At the same time, it was clearly recognized that ASEAN is not big enough to be a major global player, but already plays a significant role in holding Asia together and keeping it open to the rest of the world.²⁵

4. A PROMISING STRATEGIC APPROACH

a) First Phase: 2004-2007

The future of relations between ASEAN and the UN can be envisaged from the perspective of their real potential. For doing that we should take as a criteria resolution S/RES/1631 (2005), unanimously

adopted by the Security Council on 17 October, 2005. According to this programmatic document, the growing contribution made by regional organizations in cooperation with the UN can usefully complement the work of the organization in maintaining international peace and security. All regional organizations, including ASEAN, are expected to improve their coordination with the UN.²⁶

Certainly, it is just a beginning. It is not sufficient to stress the importance for the UN of developing regional and sub-regional organizations' ability to deploy peacekeeping forces rapidly in support of UN peacekeeping operations or other Security Council mandated operations. When could the Security Council welcome a relevant ASEAN initiative taken in this regard? There is no ready-made answer.

Indeed, ASEAN could be instrumental in addressing the illicit trade in small arms and light weapons. ASEAN might encourage further regional cooperation in the peaceful settlement of disputes, in fostering cooperation in the fight against terrorism, as well as in helping interested states in their efforts to tackle the threats to international peace and security posed by acts of terrorism.

It can reasonably be expected that special attention should be paid by ASEAN to the recommendation for better communication between the UN and regional and sub-regional organizations through, notably, liaison officers and holding of consultations at all appropriate levels.

The 2004 Report of the High-level Panel on Threats, Challenges and Change, "*A more secure world: our shared responsibility*" contains a section entitled "Re-

gional organizations". The Panel was chaired by a distinguished statesman and diplomat from ASEAN, Anand Panyarachun. He was *inter alia* permanent representative of Thailand to the UN and former prime minister of his country. Anand's report as a whole contains 101 recommendations. The section of the report on regionalism is action-oriented.

The assessment of the current situation is formulated in realistic terms applicable to ASEAN: "Since the establishment of the United Nations, a considerable number of regional and sub-regional groupings have been established. Some of these groupings have made important contributions to the stability and prosperity of their members, and some of them have begun to address directly threats to peace and security".

While this report is no longer publicized in 2014, we may join the High-level Panel in recognizing that recent experience has demonstrated that regional organizations can be a vital part of the multilateral system. Their efforts need not contradict the UN efforts, nor do they absolve the UN of its primary responsibilities for peace and security. The key is to organize regional action within the framework of the Charter and the purposes of the UN, and to ensure that the UN and any regional organization with which it works do so in a more integrated fashion than in the past.²⁷

When Anand's Report was considered in the UN General Assembly, all UN Members also had before them the UN Secretary-General's report "*In larger freedom: towards development, security and human rights for all*", which was submitted on March 21, 2005 for discussion and later on for decision by Heads of State and Gov-

ernments in September 2005. In this report, there is a section dedicated to regional organizations, containing old as well as new ideas about the future role of regional and sub-regional organizations which are now active around the world.

From the perspective of the two reports, the examples reproduced above offered by the actual practice of ASEAN and ESCAP, as well as the UN-ASEAN Memorandum of Understanding (MoU) signed in New York on September 27, 2007, to be analyzed below might offer useful inspiration for the future.

The 2007 MoU has a preamble and 9 articles. The last paragraph of the preamble expresses the conviction that an enhanced partnership between ASEAN and the UN will contribute to the attainment of the objectives of both organizations. Article 1 specifies that the purpose of this MoU is to establish a partnership between ASEAN and the UN that will encompass the full range of cooperation based on mutual benefits, including political, economic and socio-cultural areas. Such cooperation shall include: i. exchange of information and expertise; ii. cooperation in the implementation of programs that are geared towards the maintenance of regional and international peace and security, as well as the enhancement of, development, and the achievement of the Millennium Development Goals; iii. representation at specified meetings of each organization through formal invitations; and iv. mutual cooperation in all other aspects that are consistent with the objectives of both organizations and the spirit of this MoU.

According to Article 2, which is the most substantive one, ASEAN and the UN

shall pursue the broadest possible scope of cooperation encompassing the full range of activities and priorities common to both organizations by strengthening institutional linkages and by responding to the challenges of the millennium era, notably, the attainment of the Millennium Development Goals and the narrowing of development gaps, as well as addressing the threats of climate change.

In the same article it is indicated that ASEAN and the UN shall assist each other in the conduct of technical cooperation on issues of shared concern.

ASEAN and the UN shall undertake joint activities for the exchange of information and expertise including through training programs conducted by the relevant entities of each organization in fields of cooperation to be determined mutually by them.

In addition, ASEAN and the UN may, through special arrangements, decide to act jointly in the implementation of projects that are of common interest. The special arrangements shall define the modalities of the participation of each organization in such projects and shall determine the expenses payable by each of them.

An interesting provision refers to the fact that the Secretary-General of ASEAN and the UN Secretary-General shall make appropriate administrative arrangements to ensure effective cooperation and liaison between the Secretariats of the two organizations.

For future activities, in accordance with article 4, ASEAN and the UN shall maintain and hold regular consultations on issues and activities of strategic importance for the purposes of furthering and facili-

tating the effective achievement of the objectives they have in common and of ensuring the greatest possible coordination of activities, as agreed, with a view to maximizing complementarity and mutual support. To this end, the organizations shall decide to set up appropriate structures, as and when necessary.²⁸

As to the specific activities of ASEAN in the fields coordinated by the UN, relevant examples can be given on the basis of the Chairman's Statement at the end of the 14th ASEAN Regional Forum (ARF), held in Manila on 2 August 2007.

The Meeting was attended by the foreign ministers of all ARF Participants, as well as the European Union High Representative for Common Foreign and Security Policy and the Secretary-General of ASEAN. The Ministers stated that the proliferation of weapons of mass destruction (WMD) and their delivery systems, including their potential use by terrorists, remained a serious security challenge. They urged States to become parties to the two most recent universal instruments to combat nuclear terrorism, namely, the International Convention for the Suppression of Acts of Nuclear Terrorism, adopted by the UN General Assembly on 13 April 2005, and the Amendment to the Convention on the Physical Protection of Nuclear Material, adopted on 8 July 2005 in Vienna.²⁹

b) Contemporary Scenario

A detailed assessment on the UN-ASEAN cooperation and relationship was formulated during the 5th ASEAN-UN Summit which was held on 10 October 2013 in Bandar Seri Begawan, Brunei

Darussalam. In addition to the 10 Heads of State/Government of ASEAN's member States, the UN Secretary-General and the ASEAN Secretary-General were also in attendance.

The Chairman's Statement about the ASEAN-UN Cooperation and Comprehensive Partnership between ASEAN and the UN contains 33 paragraphs. We will summarize some of them, using the original terminology of the official document.

The Summit welcomed *the first formal review* of the Joint Declaration on the Comprehensive Partnership between ASEAN and the UN, a document adopted on 19 November 2011 in Bali, Indonesia. The Comprehensive Partnership led to a more coordinated, coherent, and cohesive cooperation among ASEAN sectoral bodies in its relations with UN specialized agencies, funds, and programs which, in the opinion of the Summit, will allow an enhanced ASEAN capacity to contribute and respond to global challenges.

In connection with the UN Millennium Development Goals (MDGs), the Summit made interesting assessments. It noted with satisfaction that ASEAN Member States are on track to attaining many of the Millennium Development Goals, namely the eradication of extreme poverty and hunger, achievement of universal primary education, promotion of gender equality and empowerment of women, reduction of child mortality, improvement in maternal health, combating HIV/AIDS, malaria, and other diseases, ensuring environmental sustainability, and development of global partnerships for development.

The Summit welcomed the Asia-Pacific Ministerial Dialogue on the Post-2015 UN

Development Agenda and supported ASEAN's initiative towards realizing an ASEAN Community by 2015 and in developing the ASEAN Community's Post-2015 Vision. It also acknowledged the need to deepen and enhance ASEAN's dialogue partnerships and external relations. In this regard, the Summit recognized the importance of continuing close consultations with each other on the ASEAN Community's Post-2015 Vision and the UN's Post-2015 Development Agenda.

The Summit welcomed the adoption of the ASEAN Human Rights Declaration and the work of the ASEAN Intergovernmental Commission on Human Rights and the ASEAN Commission for Promotion and Protection of the Rights of Women and Children.

For the future, an interesting initiative was announced. The Summit encouraged the Secretariats of ASEAN and the UN to draft a 'roadmap on the implementation of the ASEAN-UN Comprehensive Partnership for 2014-2015', which could include immediate priorities in all four pillars of the partnership, namely political-security cooperation, economic cooperation, socio-cultural cooperation and secretariat-to-secretariat cooperation. In the same context, the Summit also encouraged the two Secretariats to consult each other to look into ways and means, including enhancing liaison functions with each other, to bring about new impetus to the ASEAN-UN Comprehensive Partnership.³⁰

In this connection it is useful to remember the opinion expressed by Le Luong Minh, the Secretary General of ASEAN. In his view "ASEAN needs to preserve ASEAN's unity and enhance ASEAN's

central role in the multi-layered, multi-process regional architecture so that ASEAN remains the primary force to chart the future of the region".³¹

In this regard, it is appropriate to recall that all ASEAN countries are members of the Group of 77 and China which, with its 133 members, is the most influential group in the UN system. The most recent programmatic document of the Group of 77 and China is the Declaration of Santa Cruz (Bolivia), adopted by consensus on June 15, 2014. This comprehensive document consisting of 242 paragraphs is expected to guide the members of the Group, including ASEAN countries, in their activities in the sphere of multilateral diplomacy in the years to come. Paragraph 16 of the Declaration reads as follows: "We reaffirm that the main strength of the Group of 77 has been and will be its unity and solidarity, its vision of fair, just and equitable multilateral relations, the commitment of its member States to the well-being and prosperity of the peoples of the South as well as our commitment to mutually beneficial cooperation".³²

It is under these demanding parameters that a much closer cooperation between the UN and regional organizations is expected in the future. ASEAN's dynamic and continuous involvement in that process might bring a valuable contribution to the UN's work in various fields. To that end, the UN should interact with ASEAN in partnership to meet the formidable challenges facing both the ASEAN region and other continents, in order to realize the common vision of a more peaceful and secure future for all.³³ In this respect, it should not be forgotten that challenges are never static.

New political and economic difficulties may emerge in an unpredictable way. The existing UN-ASEAN comprehensive partnership has to be adapted on a regular basis to new emerging challenges. That may demand a new paradigm in the actual functioning of their current partnership. In all circumstances, it requires innovative approaches in which the instruments of multilateral diplomacy should prove their operational validity. No ready-made solutions are available for the time being. Solutions have to be gradually identified by common intensive efforts inspired by the political will of all parties. These efforts have to be constructive on substance and creative on procedures for finding workable modalities in order to give genuine tangibility to consensus objectives. By any measure, it is not an easy task.

Regionalism is not yet vibrant in Asia. However, being animated and guided by the fundamental principles and values proclaimed by the UN Charter and reflected also in the ASEAN Charter, this regional institution and its members have solid reasons to share a moderate optimism about their collective capacity to develop a dynamic partnership with the world organization, in harmony with their generous commitments.

When ASEAN turned 40 in 2007, a fundamental question was asked: is this regional grouping facing a mid-life crisis? Or, alternatively, can it become a more cohesive and relevant organization, capable of carrying out its self-proclaimed “driver’s seat” role in East Asia community-building? The same question can be asked in 2014.³⁴ A definitive answer cannot be formulated at this stage.

ASEAN leaders are in favor of a clear and ambitious long-term vision. They have opted for an ASEAN that is relevant and competitive, effective, and credible. ASEAN’s cooperation and commitments with the UN in all areas of common interest demand a visionary approach.³⁵ This is an imperative requirement repeated many times by diplomatic representatives at various political levels.

Over the years, ASEAN has been collaborating with a number of specialized agencies of the UN with a view to enhancing capacity building, and capacity development. This is expected to be expanded in the future in accordance with the provisions of the 2007 MoU analyzed above.³⁶

In the joint UN-ASEAN press statement following the UN-ASEAN ministerial-level meeting in New York on 26 September 2013, it was mentioned that the UN Secretary-General and the President of the General Assembly reaffirmed the commitment of the UN to work closely with ASEAN towards their common goals, as set out in the Joint Declaration of November 19, 2011, including attainment of the Millennium Development Goals and support for ASEAN Community building. The ASEAN Foreign Ministers reiterated ASEAN’s strong commitment to contribute constructively to the work of the United Nations and strengthen the ASEAN-United Nations partnership in maintaining regional and international peace and security.

The Meeting also exchanged views on regional and international matters that are of common concern and interest to ASEAN and the United Nations, including among others, a development agenda towards 2015 and beyond, the situation in Syria,

the peace process in the Middle East, in particular the issue of Palestine, disarmament, conflict prevention, peacekeeping, rule of law, human rights, counter-terrorism, international migration, disaster management and response, food and energy security, and sustainable development.³⁷

In the spirit of the 2007 MoU, a similar meeting between the ASEAN Foreign Ministers, the Secretary-General of the UN, and the President of the UN General Assembly (AUMM) took place during the annual UN General Assembly session on September 26, 2014 in New York.

The first significant idea reflected in the Joint Press Release issued after the meeting was “the progress made in cementing the partnership between ASEAN and the UN”. As this meeting was the third one since the adoption of the Joint Declaration on Comprehensive Partnership between the ASEAN and the UN at the 4th ASEAN-UN Summit in Bali in November 2011, its proceedings and conclusions are of great practical interest, as they also contain some elements of self-criticism.

Indeed, the participants in the meeting reviewed and welcomed the progress achieved in the implementation of the above mentioned Joint Declaration, based on a Joint Report and recommendations submitted by the Secretariats of the ASEAN and the UN. They also considered the suggestions of the ASEAN-UN Preparatory Senior Officials’ Meeting held two days earlier, on 24 September 2014. The meeting of senior officials dealt *inter alia* with modalities for promoting the effectiveness of ASEAN-UN cooperation by identifying the gaps in implementation of the Joint Declaration, formulating strate-

gic, focused and coordinated programs, and working together not only on the current issues, but also on a new generation of issues such as integrated regional connectivity, countering radicalism and extremism, transnational crime, cyber crime and the spread of communicable diseases such as the Ebola virus.

It should be noted that, as in the past, the UN expressed support for ASEAN’s efforts towards the realization of the ASEAN Community by 2015 and ASEAN’s central role in evolving its regional architecture. It is in this context that the AUMM agreed to strengthen joint activities more strategically through ensuring better coordination, stable and sustainable funding, and where appropriate, creating mechanisms to monitor the activities and generate greater impact for the two Organizations and the peoples of ASEAN.

From a diplomatic perspective, it should be specifically re-called that all ASEAN Foreign Ministers welcomed the establishment of a UN liaison presence in Jakarta, Indonesia.

The list of regional and international issues which in the opinion of the AUMM are of common concern and interest for both organizations is a comprehensive one. It includes *inter alia* the following: achieving the UN Millennium Development Goals; setting the development agenda beyond 2015; encouraging information sharing and capacity building in maritime security and safety cooperation; eradicating poverty and reducing inequalities; promotion of tolerance and moderation; conflict prevention, peacekeeping, and peacebuilding; countering terrorism; addressing transnational issues; promotion and pro-

tection of human rights; climate change; disaster management; promoting green technology and sustainable development.

The Joint Press Release of the AUMM contains a special reference to the timely finalization of the ASEAN-UN Work Plan for 2015, which will chart out priorities for the ASEAN-UN Partnership in all the pillars of the Comprehensive Partnership and in maintaining and promoting regional and international peace, security, and prosperity.³⁸

The matters to be discussed in 2015 and in the years to come are numerous and of a great variety and complexity by their nature. What appears to be essential for both organizations is to deploy additional efforts for finding appropriate ways and means to make the UN-ASEAN cooperation and partnership as fruitful as possible. From the numerous areas mentioned in common documents the two institutions have a good chance to register meaningful progress in actively working towards the attainment of the UN Millennium Development Goals, in disaster management, food and energy security and the Post-2015 UN Development Agenda.

A realistic approach is recommendable while dealing with relationships between regional organizations, the UN and its specialized agencies. As cogently stated by Indonesia, “One size does not and cannot fit all. Owing to cultural and other factors, an approach that may be a winner in one part of the world may not be as successful in another. To that end, it is important to maintain continuing consultations between the United Nations and regional and sub-regional organizations so as to develop an understanding of the lessons and mecha-

nisms that are transferable and those that may not be. Some regional frameworks should receive the right assistance from the United Nations and other actors, and strong efforts should be made to strengthen strategic trust between the United Nations and various organizations”.³⁹

In order to keep up with the constantly changing conditions in a world characterized by global vulnerabilities, perplexities and discontinuities, both the UN and ASEAN must be visionary and re-think and re-invent their common future as it is part of their common destiny.⁴⁰

From a practical perspective, it is appropriate to pay adequate attention to some recommendations formulated in a 2014 report of the UN Secretary-General entitled *Cooperation between the United Nations and regional and other organizations*. In the light of these recommendations, the UN is expected to continue to develop context-specific approaches to cooperation with ASEAN, taking into account the specificities of the area covered by this organization, its mandate and objectives, as well as the overall interests of Member States.

A common principle across all of the partnerships between the UN and regional organizations is the recognition that more interaction and coordination are beneficial for the international community at large, new agreements, high-level contacts, staff exchanges, joint training, common publications etc have to be further planned and implemented. In accordance with a broader recommendation, the UN and regional and sub-regional actors should continue to explore ways in which their cooperation can be better articulated at the strategic and technical levels.⁴¹

As a final conclusion, it can be asserted that the UN-ASEAN cooperation is an integral part of a broad process of global institutional collaboration. If properly implemented in the years to come, the comprehensive UN-ASEAN partnership will prove to be a promising and fruitful project which will help to materialize the shared aspirations of all peoples represented by the two organizations. Success in this great endeavor demands strong, experienced, and transformational leadership from both institutions, as greater consistency and coherence are needed to streamline and consolidate the operational components of the UN-ASEAN comprehensive partnership.

Endnotes

¹This is a summarized definition taken from the full text of the Joint Declaration on a Comprehensive Partnership between ASEAN and the UN, dated November 19, 2011, available at <http://www.asean.org/archive/documents/19th%20summit/UN-JD.pdf> visited on June 10, 2014.

²See Doc.S/PV.7015 (Resumption 1) available at www.un.org visited on June 10, 2014.

³The quotation is from the text of UN Secretary-General Ban Ki-moon's statement available at http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PV.7015.

⁴A relevant article of chapter VIII of the UN Charter is article 54 which reads as follows: "The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security".

⁵For a multidisciplinary approach to regionalism, see Regionalism, *Concepts and Approaches at the Turn of the Century*, IRISI, Bucharest, 1995. A more recent book is Philippe De Lombaerde, Francis Baert, Tânia Felício, *The United Nations and the Regions: Third World Report on Regional*

Integration (United Nations University Series on Regionalism) (Volume 3), Springer, 2012, 272 p.

⁶The only book dealing specifically with ASEAN-UN cooperation is *Striving Together. ASEAN and the UN*, Bangkok, ESCAP, 2009, xvi+76 p. The book deals mostly with economic and social issues and starts with a message from Ban Ki-moon, UN Secretary-General, who asserts in the first sentence of the document the following: "The United Nations and ASEAN have long shared the goal of building a more stable and prosperous world. Our organizations have worked together on many important economic and social development programmes across South-East Asia, including efforts to control disease, improve disaster preparedness and response, and deepen regional integration". *op.cit.* p.III.

⁷See one of the most recent ASEAN analyses: Kishore Mahbubani and Rhoda Severino ASEAN: The way forward, in *The Nation* dated June 12 and 13, 2014. In the past, a lucid view was expressed by Ambassador Don Mills who asserted that ASEAN is "the most developed regional organization in Asia which plays a prominent role both inside and outside the United Nations..." See *Multilateral Diplomacy and the United Nations Today*, second edition, Westview Press, Cambridge, MA, 2005, p.36

⁸See Hilario G. Davide, Jr., A Special Partnership with the UN: An Asian Perspective in UN Chronicle, Volume XLIV, Number 1 2007, online edition available at <http://www.un.org/Pubs/chronicle/2007/issueI/0107pll.htm#> visited on June 17 2014.

⁹See Boutros Boutros-Ghali, *An Agenda for Peace*, United Nations, New York, 1992, 54 p.

¹⁰See *Integration in Asia and Europe: Historical Dynamics, Political Issues, and Economic Perspectives* by Paul U. Welfens (Editor), Franz Knipping (Editor), Suthiphand Chirathivat (Editor), Cillian Ryan (Editor), Springer, 2005, 284p. "ASEAN has demonstrated that it is the second most successful regional organization in the world after the European Union", assert Kishore Mahbubani and Rhoda Severino in their article mentioned in note 7 *supra*.

¹¹For the full text of the resolution see <http://www.un.org/Depts/dhl/resguide/r61.htm>

¹²See Hilario G. Davide, *art.cit.* in note 8 *supra*.

pra.

¹³The full text of the resolution is available at <http://www.un.org/documents/resga.htm> visited on June 18, 2014.

¹⁴The official text of the Presidential Statement is available at http://www.un.org/Docs/sc/unsc_pres_statements04.html visited on June 18, 2014.

¹⁵See United Nations S/PRST/2013/121 of 6 August 2013.

¹⁶All UN resolutions mentioned in the present study are available at <http://www.un.org/documents/resga.htm> visited in June 2014.

¹⁷The full text of the resolution is available at <http://www.un.org/documents/resga.htm> visited in June 2014.

¹⁸All UN resolutions dealing with UN and ASEAN mentioned in the present study are available at <http://www.un.org/documents/resga.htm> visited in June 2014.

¹⁹See the document United Nations A/RES/67/110 circulated on 2 April 2013.

²⁰Relevant information about the ASEAN-ESCAP Memorandum, including its full text, is available at www.ecosecretariat.org/ftproot/Documents/MOUs/ESCAP.doc visited on June 17, 2014.

²¹For the relevant proceedings of the Security Council on the matter, including the verbatim records, see <http://www.un.org/Depts/dhl/resguide/scact2004.htm> visited on June 20, 2014.

²²See Doc. S/PV.7015 (Resumption 1) available at www.un.org visited on June 10, 2014.

²³See Doc. S/PV.5007 (Resumption 1) available at <http://www.un.org/en/sc/meetings/records/2004.shtml> visited on June 15, 2014.

²⁴See <http://www.un.org/Depts/dhl/resguide/scact2005.htm>.

²⁵For the full text of the statement see document A/61/PV.17 consulted in June 2014 at <http://www.un.org/documents/resga.htm>.

²⁶For the full text of the resolution see <http://www.un.org/Depts/dhl/resguide/scact2005.htm>.

²⁷The document entitled Report of the High-level Panel on Threats, Challenges and Change, “A more secure world: our shared responsibility” (A/59/565) is available at <http://www.un.org/reform/highlevelpanel.html> and was consulted several times during the drafting of the present

article. The Secretary-General’s report “*In larger freedom: towards development, security and human rights for all*” is available in full version at <http://www.un.org/largerfreedom/> 2007.

²⁸For press information about the UN-ASEAN Memorandum of Understanding (MoU) see www.un.org/news visited on June 18, 2014. The full text of the MoU is available at <https://myoceanic.files.wordpress.com/2013/09/mou-between-asean-and-un-on-asean-un-cooperation-2007.pdf>

²⁹The full text of the document is available at www.aseansec.org/ visited in June 2014.

³⁰See <http://www.asean.org/news/asean-statement-communicues> visited in June 2014.

³¹The full text of the statement and all documentation dealing with ASEAN Secretariat were used on the basis of sources available at www.aseansec.org

³²For the full text of Declaration of Santa Cruz see [https://www.google.com/#q=Declaration+of+Santa+Cruz+\(June+15%2C+2014\)](https://www.google.com/#q=Declaration+of+Santa+Cruz+(June+15%2C+2014)) visited on June 20, 2014.

³³The full text of the document is available at <http://www.un.org/News/ossg/sg/pages/statements.html> visited on June 20, 2014.

³⁴See Ralph A Cossa, Birthday blues for ASEAN in Asia Times at <http://www.atimes.com>.

³⁵See the considerations about the ASEAN Charter on the site of the ASEAN Summit in Singapore at http://www.13thaseansummit.org.sg/asean/index.php/web/press_room/speeches_statements__1

³⁶See note 28 *supra*.

³⁷For the full text of the press release see <http://www.un.org/News/Press/docs/2013/sg2199.doc.htm>

³⁸See the full text of the Joint Press Release dated September 29, 2014 at <http://www.asean.org/news/asean-statement-communicues> visited on November 4, 2014. Interesting critical comments have been formulated about ASEAN’s participation in the sphere of multilateral diplomacy. Simon Tay in his article *Toward a common voice for Asean* asserts: “ASEAN has failed to forge consensus on many significant multilateral issues. [...] it hasn’t shown much inclination to support the United Nations-led process for dealing with problems of climate change. ASEAN members

met at the sidelines of international conferences addressing these issues, but in the actual processes of lobbying, they splin”. See <http://www.establishmentpost.com/toward-common-voice-for-asean/#ixzz3IBRuPDY6> visited on November 3, 2014.

³⁹See Doc.S/PV.7015 (Resumption 1) available at <http://www.un.org/en/sc/meetings/records>

⁴⁰In this regard Kishore Mahbubani and Rhoda Severino assert: “To ensure ASEAN remains viable and strong in the coming decades, the populations of its member nations must begin to develop the same sense of ownership of ASEAN as their leaders. Fortunately, continued success is within ASEAN’s grasp. Despite the risks ahead, ASEAN is taking many good steps toward deeper regional integration and a higher level of cooperation commensurate with the growing complexity of its challenges. We are confident that it will continue to do well and thrive in the coming decades”. See note 7, *supra*.

⁴¹See UN document A/69/228*-S/2014/560*, dated 4 August 2014, p.24. It is available at http://www.un.org/ga/search/view_doc.asp?symbol=A/69/228 visited on November 5, 2014.